

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI

**AMY NEELEY and DAVID NEELEY,
Individually and on behalf of their minor child,
J.N.**

PLAINTIFFS

V.

CASE NO.: 21-521

**GREAT ESCAPES PELAHATCHIE, LP d/b/a
JELLYSTONE PARK YOGI ON THE LAKE
PELAHATCHIE, a foreign limited partnership**

DEFENDANT

**PLAINTIFFS' RESPONSES TO
DEFENDANT GREAT ESCAPES PELAHATCHIE, LP
FIRST SET OF REQUESTS FOR ADMISSION**

Pursuant to Mississippi Rules of Civil Procedure 26 and 36, Plaintiffs Amy Neeley and David Neeley, individually and on behalf of their minor child, J.N., submit the following responses to Defendant Great Escapes Pelahatchie, LP d/b/a Jellystone Park Yogi on the Lake Pelahatchie's Requests for Admission.

RESPONSES TO REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1: Admit that Plaintiffs have no evidence to support Plaintiffs' claim that Great Escapes is liable for the cause of action in the Complaint titled "Count I - General Negligence / Strict Liability."

Admit_____

Deny X_____

REQUEST FOR ADMISSION NO. 2: Admit that Plaintiffs have no evidence to support Plaintiffs' claim that Great Escapes is liable for the cause of action in the Complaint titled "Count II – Premises Liability."

Admit_____

Deny X_____

REQUEST FOR ADMISSION NO. 3: Admit that Plaintiffs have no evidence to support Plaintiffs' claim for any of the damages asserted in paragraph 39 of the Complaint.

Admit _____ Deny X

REQUEST FOR ADMISSION NO. 4: Admit Plaintiffs' damages in this lawsuit do not exceed \$75,000, exclusive of interests and costs.

Admit _____ Deny X

REQUEST FOR ADMISSION NO. 5: Admit that Plaintiffs do not seek to recover more than \$75,000 in damages, exclusive of interests and costs, in this lawsuit.

Admit _____ Deny X

REQUEST FOR ADMISSION NO. 6: Admit that Plaintiffs will not accept an award of damages in excess of \$75,000, exclusive of interests and costs, if rendered in this lawsuit.

Admit _____ Deny X

REQUEST FOR ADMISSION NO. 7: Admit that Plaintiffs will not execute on any judgment rendered in Plaintiffs' favor in this lawsuit in excess of \$75,000, exclusive of interests and costs.

Admit _____ Deny X

REQUEST FOR ADMISSION NO. 8: Admit that J.N. has not developed hemolytic uremic syndrome (HUS).

Admit X

Deny

REQUEST FOR ADMISSION NO. 9: Admit that Plaintiff Amy Neeley will not seek to recover damages incurred as a result of any injury, illness, disease, disability, defect, symptom, pain and suffering, or any other type of health condition (whether physical, mental, emotional, psychological, or otherwise) she has allegedly suffered as a result of the Subject Incident.

Admit

Deny X

REQUEST FOR ADMISSION NO. 10: Admit that Plaintiff David Neeley will not seek to recover damages incurred as a result of any injury, illness, disease, disability, defect, symptom, pain and suffering, or any other type of health condition (whether physical, mental, emotional, psychological, or otherwise) he has allegedly suffered as a result of the Subject Incident.

Admit

Deny X

REQUEST FOR ADMISSION NO. 11: Admit that Plaintiffs seek to recover damages incurred as a result of only those injuries, illnesses, diseases, disabilities, defects, symptoms, pain and suffering, and other types of health conditions (whether physical, mental,

emotional, psychological, or otherwise) that J.N. has allegedly suffered as a result of the Subject Incident.

Admit _____

Deny X

RESPECTFULLY SUBMITTED, this the 7th day of December, 2021.

/s/ David Baria
David Baria (MSB #8646)

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Attorneys for Plaintiffs Amy Neeley, David Neeley, & J.N.

CERTIFICATE OF SERVICE

I, David Baria, do hereby certify that I served a true and correct copy of the foregoing Plaintiffs' Responses to Defendant Great Escapes Pelahatchie, LP First Set of Requests for Admission via email to the following counsel of record on file with the CM/ECF system:

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Jellystone Park Yogi on The Lake Pelahatchie

RESPECTFULLY SUBMITTED, this the 7th day of December, 2021.

/s/ David Baria
David W. Baria